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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

v.

RUSSELL J. SHAH, MD, DIPTI R. SHAH,
MD, RUSSELL J. SHAH, MD, LTD., DIPTI
R. SHAH, MD, LTD., and RADAR
MEDICAL GROUP, LLP dba UNIVERSITY
URGENT CARE, DOES 1-100, and ROES
101-200,

Defendants.

AND RELATED CLAIMS

CASE NO. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER FOR
EXTENSION OF TIME FOR ALL
PARTIES TO RESPOND TO PARTIES'
MOTIONS FOR SUMMARY JUDGMENT
FILED 12/16/22**

1 Plaintiffs/Counterdefendants ALLSTATE INSURANCE COMPANY, ALLSTATE
 2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,
 3 and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (collectively, the “Allstate
 4 Parties”), and Defendants and Counterclaimant RUSSELL J. SHAH, M.D. (“Dr. Russell Shah”),
 5 DIPTI R. SHAH M.D. (“Dr. Dipti Shah”), RUSSELL J. SHAH, MD, LTD. (“Russell PC”), DIPTI
 6 R. SHAH, MD, LTD. (“Dipti PC”), and RADAR MEDICAL GROUP, LLP (“Radar”) (collectively,
 7 the “Radar Parties”), by and through their respective counsel of record, hereby stipulate and agree
 8 as follows:

9 1. On December 16, 2022, Radar filed its detailed Motion for Summary Judgment
 10 Regarding Allstate’s Failure to File an Answer to the Amended Counterclaims [ECF No. 457]
 11 (“Radar MSJ No. 1”).

12 2. The Allstate Parties presently have until January 6, 2023 to file their Response to
 13 Radar MSJ No. 1.

14 3. On December 16, 2022, the Allstate Parties filed their detailed Motion for Summary
 15 Judgment as to both counterclaims alleged by Radar in this matter [ECF No. 458] (“Allstate MSJ”).

16 4. Radar presently has until January 6, 2023 to file its Response to the Allstate MSJ.

17 5. On December 16, 2022, the Radar Parties filed their Motion for Summary Judgment
 18 on Allstate’s Causes of Action in its First Amended Complaint [ECF Nos. 460, 461] (“Radar MSJ
 19 No. 2”).¹ It is an extensive, detailed motion covering 50 pages of points and authorities,² along with
 20 35 volumes of exhibits [ECF Nos. 462-496] gleaned from the extensive discovery that took place in
 21 this matter.

22 6. The Allstate Parties presently have until January 6, 2023 to file their Response to
 23 Radar MSJ No. 2.

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 27 ¹ ECF No. 460 was publicly-filed and ECF No. 461 was filed under seal.

28 ² Pursuant to the Court’s December 16, 2022 Minute Order [ECF No. 456], the Radar Parties
 were granted leave to file an oversized brief that did not exceed 50 pages.

7. Following the filing of Radar MSJ Nos. 1 and 2 and the Allstate MSJ (collectively, the “Motions”), counsel for the Allstate Parties, Todd W. Baxter, who is primarily responsible for preparing the Responses to Radar MSJ Nos. 1 and 2, was engaged in a trial in Tulare County Superior Court, in Visalia, California, from December 19, 2022 through December 23, 2022. Mr. Baxter was then out of the office until December 27, 2022. He is also scheduled to be out of the office from December 29, 2022 through January 3, 2023. Upon his return to the office, Mr. Baxter has an oral argument scheduled on January 12, 2023, before the Fifth District Court of Appeal in Fresno, California, and has two appellate briefs scheduled to be filed on January 13, 2023, and January 17, 2023.

8. Counsel for the Radar Parties, Joshua P. Gilmore, who is primarily responsible for preparing the Response to the Allstate MSJ, was out of the office beginning on December 17, 2022, and returned to the office following the holiday break on December 27, 2022. Mr. Gilmore’s work schedule is equally pressing prior to the January 6, 2023 deadline, and in the days after as well, in part due to five (5) summary judgment motions, two (2) motions *in limine*, and one (1) motion to compel and related countermotion to compel in a matter pending in Nevada state court, which are still being briefed and which are set to be heard on January 4, 2023, January 11, 2023, and January 18, 2023.

9. In light of the critical importance of the Motions, the extensive size of Radar MSJ No. 2 filed by the Radar Parties as to the six claims made by the Allstate Parties in this matter, and the work schedule and holiday schedule of counsel for the parties, the parties hereby stipulate and agree that (i) the Allstate Parties shall now have until February 6, 2023, to file their Responses to Radar MSJ Nos. 1 and 2 and (ii) Radar shall now have until February 6, 2023, to file its Response to the Allstate MSJ.

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10. This is the first stipulation for an extension of time to file Responses to the Motions.
This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED.

Dated: December 27, 2022.

Dated: December 27, 2022.

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

BAILEY KENNEDY

By: /s/ Todd W. Baxter

By: /s/ Joshua P. Gilmore

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ORDER

IT IS SO ORDERED.

DATED this 5th Day of January, 2023.


UNITED STATES DISTRICT JUDGE